

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SIERRA CLUB, *et al.*,

Plaintiffs,

and

THE SPOKANE TRIBE OF INDIANS,

Plaintiff-Intervenor,

v.

REGIONAL ADMINISTRATOR OF THE
ENVIRONMENTAL PROTECTION
AGENCY, CHRIS HLADICK, *et al.*,

Defendants,

and

SPOKANE COUNTY; KAISER ALUMINUM
WASHINGTON LLC; and STATE OF
WASHINGTON DEPARTMENT OF
ECOLOGY,

Defendant-Intervenors.

Case No. 11-CV-1759-BJR

ORDER GRANTING STIPULATED
MOTION SETTING BRIEFING
SCHEDULE FOR EPA'S AND
INTERVENOR-DEFENDANTS'
MOTIONS TO DISMISS

Plaintiffs Sierra Club and Center for Environmental Law & Policy (collectively “Sierra Club”), Defendants the Regional Administrator of the Environmental Protection Agency, Chris Hladick and the United States Environmental Protection Agency (collectively “EPA”), Plaintiff-Intervenor Spokane Tribe of Indians (the “Tribe”), Defendant-Intervenor Spokane County, Defendant-Intervenor Kaiser Aluminum Washington LLC, and Defendant-Intervenor State of Washington, Department of Ecology, having come to an agreement among them, jointly request that this Court approve their stipulated motion, which proposes an updated briefing schedule. This motion comes before the Court after the EPA and Defendant-Intervenors informed the remaining parties of their plan to seek dismissal of this case for lack of jurisdiction.

The Court hereby adopts and enters the parties’ proposed stipulated briefing schedule to allow the parties to brief and resolve the EPA’s and the Defendant-Intervenors’ anticipated motions to dismiss, before any other substantive or procedural motions are filed in this case:

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|------|---|-----------------|
| 1.A. | EPA’s Motion to Dismiss
(limited to 24 pages) | July 17, 2020 |
| 1.B. | Motions to Dismiss, by Spokane County, Kaiser Aluminum, and the State of Washington
(each limited to 12 pages) | July 24, 2020 |
| 2.A. | Consolidated Opposition to the Motions to Dismiss, to be filed by Sierra Club
(limited to 36 pages) | August 7, 2020 |
| 2.B. | Consolidated Opposition to the Motions to Dismiss, to be filed by the Tribe
(limited to 12 pages) | August 14, 2020 |
| 3.A. | EPA’s Reply on its Motion to Dismiss
(limited to 20 pages) | August 28, 2020 |
| 3.B. | Replies, by Spokane County, Kaiser Aluminum, and the State of Washington | |

(each limited to 6 pages)

September 4, 2020

IT IS SO ORDERED.

DATED this 19th day of June, 2020.

A handwritten signature in black ink, reading "Barbara J. Rothstein". The signature is written in a cursive, flowing style.

BARBARA J. ROTHSTEIN
UNITED STATES DISTRICT JUDGE